

State of California
Regional Water Quality Control Board
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT
November 10, 2004

ITEM: 8

SUBJECT: NPDES PERMIT RENEWAL: UNIVERSITY OF CALIFORNIA, SCRIPPS INSTITUTION OF OCEANOGRAPHY, SAN DIEGO COUNTY (TENTATIVE ORDER NO. R9-2004-0378, NPDES PERMIT NO. CA0107239) (Paul J. Richter)

PURPOSE: To hold a public hearing and receive comments from interested parties regarding the renewal of the NPDES permit for waste discharge requirements for the University of California, Scripps Institution of Oceanography (SIO).

PUBLIC NOTICE: The NPDES permit hearing notice was published in the San Diego Union-Tribune on October 8, 2004 for the Regional Board meeting scheduled for November 10, 2004.

Copies of the tentative Order were mailed on October 8, 2004 to the discharger and to all known interested parties and agencies. Copies were made available for public review at the Regional Board office on October 8, 2004.

These actions served as the 30-day official public notification for this action, as required by Title 40, Section 124.10 of the Code of Federal Regulations.

DISCUSSION: The Regional Board regulates the existing discharges of waste from University of California's Scripps Institution of Oceanography (SIO) under Order No. 93-83, NPDES Permit No. CA0107239, *Waste Discharge Requirements for the University of California Scripps Institution of Oceanography, San Diego County*. The SIO discharge consists of waste seawater and urban storm water runoff to the Pacific Ocean.

The SIO discharges into an area of the Ocean identified by the SWRCB as an Area of Special Biological Significance (ASBS), the San Diego Marine Life Refuge. The California 2001 Ocean Plan prohibits discharges of waste

into any ASBS unless the discharger applies for and receives an exception to the Ocean Plan from the State Water Resources Control Board (SWRCB). SIO has applied for and the SWRCB had granted an exception to the Ocean Plan for discharges from SIO. The attached Staff Report contains further details on the exception and the conditions that SIO must comply with to continue its discharge.

The current NPDES Permit, Order No. 99-83, expires on November 10, 2004. If adopted, tentative Order No. R9-2004-0378 will renew the NPDES permit.

COMPLIANCE:

Prior to the adoption of State Board Resolution No. 2004-0052, the discharges at SIO have not had an Ocean Plan exception for the discharges of wastes to an ASBS. On July 22, 2004, the State Board adopted Resolution No. 2004-0052, which provides an exception to the Ocean Plan prohibition for the discharges at SIO. The Resolution contained numerous conditions that are included in this tentative Order.

SIO violated Order No. 99-83 five times between July 2000 and October 2001. The five violations consisted of one flow violation and four effluent limitation violations-oil and grease (twice), settleable solids and total suspended solids. SIO has not had any violations since October 2001.

LEGAL CONCERNS:

None.

SUPPORTING
DOCUMENTS:

1. Location map, vicinity map and ASBS map.
2. Staff Report dated October 26, 2004.
3. Tentative Order No. R9-2004-0378 (including the Monitoring and Reporting Program).
4. Fact Sheet
5. Transmittal Letter dated October 8, 2004, 2004.
6. Comment documents from SIO, dated October 27, 2004.
7. Comment documents from Dominic Gregorio, DWQ, State Board.
8. Affidavit of Publication for public notice dated October 8, 2004.

RECOMMENDATION:

Adopt tentative Order No. R9-2004-0378.